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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/598,668	06/20/2000	Gavin Peacock	PALM-3215	5356

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Wagner Murabito & Hao LLP
Two North Market Street
Third Floor
San Jose, CA 95113

EXAMINER

SHAW, JOSEPH D

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 02/09/2004

5

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/598,668

Applicant(s)

PEACOCK, GAVIN

Examiner

Joseph D Shaw

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 June 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 7, 8, 9 and 14 are rejected under 35 U.S.C. 103(a) as being obvious over Skeen et al. (5,557,798) in view of Joseph (6,038,603).

- a. As per claims 1 and 8, Skeen discloses an Exchange Manager (communications interface) that performs communication in a computer system between applications and external communication hardware (Fig. 1, element 20; col. 9, lines 10-14); the Exchange Manager handles different protocols through transaction with a communication library (communication interface references a communications component that handles a plurality of transport layer protocols; col. 9, lines 14-22; Fig. 1); and transferring data to an external system via defined protocols and mechanisms (Fig. 1; col. 9, lines 28-32). However, Skeen does not explicitly teach the application forwarding, to the Exchange Manager, data associated with a URL string, the URL string containing a transport mechanism and a destination. Joseph discloses a URL containing a transport

mechanism and destination that a browser (application) uses to communicate with another computer (Fig. 3A,B; col. 4, lines 55-67, col. 5, lines 1-8). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the method of browser communication via URL's as taught by Joseph in the system of Skeen because such an arrangement would allow browsers (application), on handheld computer systems, to take advantage of the Exchange Manager's ability to communicate using different protocols and media. However, the modified Skeen invention still does not teach the steps being performed on a handheld device. "Official Notice" is taken that both the concept and advantages of implementing computer applications and systems on handheld devices are well known and expected in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the modified Skeen invention on a handheld device because the modified Skeen invention could then be used in a mobile computing environment.

b. As per claims 2 and 9, Skeen discloses the claimed invention modified by Joseph as described above. However, the Skeen/Joseph invention does not disclose the handheld device being a palmtop computer comprising a memory, processor, screen, and plurality of communication mechanisms coupled to a bus. "Official Notice" is taken that both the concept and advantages of a palmtop computer comprising a processor, memory, screen, and plurality of communication mechanisms are well known and expected in the art. It would

have been obvious to one of ordinary skill in the art at the time the invention was made to include a memory, processor, screen, and plurality of communication mechanisms coupled to a bus in a palmtop computer because palmtop computers provide a convenient means for mobile computing and such an architectural arrangement would allow for a working palmtop computer.

c. As per claims 7 and 14, Skeen discloses the claimed invention modified by Joseph as described above. However, the Skeen/Joseph invention does not disclose prompting the user for any unspecified criteria including protocol to use or destination. "Official Notice" is taken that both the concept and advantages of a system prompting a user for unspecified criteria are well known and expected in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include prompting users for unspecified criteria because it would ensure that data communications occurred though a program did not explicitly specify a protocol or destination.

3. Claims 3-5 and 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skeen et al. (5,557,798) in view of Joseph (6,038,603) as applied to claims 1 and 7 above, and further in view of Bodnar et al. (6,295,541).

d. As per claims 3, 4, 10, and 11, Skeen discloses the claimed invention modified by Joseph as described above and furthermore teaches including protocols for IP (col. 9, lines 17-21). However, the Skeen/Joseph invention does not explicitly teach including an email, radio frequency, infrared, or

synchronization protocols. Bodnar teaches a palmtop computer capable of synchronization, infrared, radio frequency communications, and email communications (col. 10, 42-53; Fig. 2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the methods of synchronization, radio frequency, infrared, and email communications in a palmtop computer as taught by Bodnar in the system of Skeen/Joseph because including such protocols would allow for additional options in communication media with the palmtop computer.

e. As per claims 5 and 12, Skeen discloses the claimed invention modified by Joseph as described above. However, the Skeen/Joseph invention does not explicitly teach sending a data file. Bodnar teaches a palmtop computer sending datasets (data files) (Fig. 2; col. 10, lines 23-33). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include sending datasets from a palmtop computer as taught by Bodnar in the system of Skeen/Joseph because it would allow for the synchronization of datasets as taught by Bodner (Abstract).

4. Claims 6 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skeen et al. (5,557,798) in view of Joseph (6,038,603) as applied to claims 1 and 7 above, and further in view of Suzuki (6,385,636).

f. As per claims 6 and 13, Skeen discloses the claimed invention modified by Joseph as described above. However, the Skeen/Joseph invention does not explicitly teach sending an application program. Suzuki teaches a client computer being transmitted an application (Abstract). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include transmitting applications between computer systems as taught by Suzuki in the system of Skeen/Joseph because this would allow for workloads to be distributed in the computing environment as taught by Suzuki (Abstract).

5. Claims 15-16, 19, and 21 are rejected under 35 U.S.C. 103(a) as being obvious over Skarbo et al. (6,317,777).

g. As per claim 15, Skarbo teaches receiving a file of information (document) from an external source (document server) (col. 10, lines 45-56); a Uniform Resource Locator associated with said file (col. 10, lines 16-25); identifying an application for said file based on the data type of said file and an application registry (col. 10, lines 52-56); and storing the file in memory and associating said file with a dataset associated with said application (col. 10, lines 52-56). However, the Skarbo invention does not teach the steps being performed on a handheld device. "Official Notice" is taken that both the concept and advantages

of implementing computer applications and systems on handheld devices are well known and expected in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the Skarbo invention on a handheld device because the Skarbo invention could then be used in a mobile computing environment.

h. As per claim 16, Skarbo discloses the modified invention described above. Furthermore, Skarbo discloses the computing apparatus comprising a bus (col. 12, lines 42-45) and a processor, memory unit, and screen (video interface) coupled to said bus (col. 12, lines 51-55). The computing device also contains a plurality of communication mechanisms (col. 13, lines 31-49). However, Skarbo does not explicitly teach the computing device being a palmtop computer. "Official Notice" is taken that both the advantages and concept of a handheld device (taught in the combination of the parent claim) being a palmtop computer are well known and expected in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a palmtop computer as the handheld device in the modified Skarbo invention because palmtop computers provide a convenient means for mobile computing.

i. As per claim 19, Skarbo discloses the modified invention described above. Furthermore, Skarbo discloses the file being a data file (document; col. 10, lines 45-56).

j. As per claim 21, Skarbo discloses the claimed invention modified above. However, the Skarbo invention does not disclose prompting the user to specify an application to associate an unknown data type with. "Official Notice" is taken that both the concept and advantages of a system prompting a user for an application to associate unknown data with are well known and expected in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include prompting users for application association of because it would allow for users to view unknown data with the application they desire.

6. Claims 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skarbo et al. (6,317,777) in view of Bodnar et al. (6,295,541).

k. As per claims 17-18, Skarbo discloses the claimed invention modified as described above and furthermore teaches including protocols for IP (col. 2, lines 29-40) and FTP (col. 13, lines 32-40). However, the modified Skarbo invention does not explicitly teach including an email or synchronization protocol. Bodnar teaches a palmtop computer capable of synchronization and email communications (col. 10, 42-53; Fig. 2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the methods of synchronization and email communications in a palmtop computer as taught by Bodnar in the modified system of Skarbo because including such

protocols would allow for additional options in communication media with the palmtop computer.

7. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Skarbo et al. (6,317,777) in view of Suzuki (6,385,636).

I. As per claim 20, Skarbo discloses the claimed invention modified as described above. However, the modified Skarbo invention does not explicitly teach sending an application program. Suzuki teaches a client computer being transmitted an application (Abstract). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include transmitting applications between computer systems as taught by Suzuki in the modified system of Skarbo because this would allow for workloads to be distributed in the computing environment as taught by Suzuki (Abstract).

Conclusion

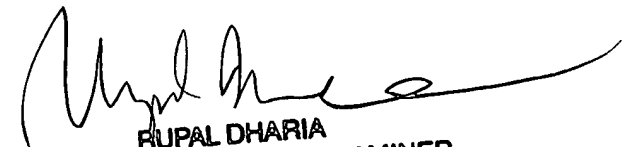
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph D Shaw whose telephone number is 703-305-0094. The examiner can normally be reached on Monday - Thursday and alternate Fridays, 7am - 4pm.

9. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 703-305-4003. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Joseph Shaw
Examiner
AU 2141



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